

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Curtis Rena Hill, #296024, a/k/a Curtis
R. Hill,

Plaintiff,

vs.

Adell Dobey, Polly Hall,
Marcus Smith,

Defendants.

C.A. No. 6:08-4080-HMH-KFM

OPINION AND ORDER

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Kevin F. McDonald, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 of the District of South Carolina.¹ Plaintiff Curtis Rena Hill (“Hill”), a state prisoner proceeding pro se, alleges that he has been deprived of his constitutional rights pursuant to 42 U.S.C. § 1983 because water from a leaking toilet in his prison cell caused him to fall and sprain his ankle. In his Report and Recommendation, the magistrate judge recommends granting summary judgment in favor of Defendants. Hill filed objections to Magistrate Judge McDonald’s Report on September 28, 2010.²

¹ The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

² Houston v. Lack, 487 U.S. 266, 266 (1988).

Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of *specific* objections to the Report and Recommendation of the magistrate judge, the court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court finds that Hill's objections are non-specific and merely restate his claims. Therefore, after a thorough review of the Report and Recommendation and the record in this case, the court adopts Magistrate Judge McDonald's Report and Recommendation.

It is therefore

ORDERED that Defendants' motion for summary judgment, docket number 64, is granted.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
October 12, 2010

NOTICE OF RIGHT TO APPEAL

The Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.